

Exhibit 13

Tim Hogan

From: Wesley W. Ichida
Sent: Thursday, July 26, 2007 8:29 AM
To: Timothy J. Hogan
Cc: Maile M. Hirota; Paul A. Lynch; Steven J. Kim; WFT
Subject: Re: Berry

Tim: Mr. Berry sent us an e-mail at 2:02 this morning. I assume you received a copy of it, if you did not draft it for him. This is partly in response to that e-mail. My understanding when you left yesterday afternoon is that you were going to continue on as counsel for Mr. Berry along the same lines as the agreement which you drafted, that you would remain on as an employee until the end of the month, and that you would be taking vacation days from the 26th to the end of the month, and that you will prepare and file Substitutions of Counsel in all Berry cases. I also understand that Buzz will today or, has already e-mailed to you, your requested language. Lastly, that assuming you get Buzz's e-mail, the Agreement will be executed by Mr. Berry. Is this still the status?? Please advise me by 9:00am today.

If this is not the case and we are to get extensions, or if I do not hear from you, we intend to call Judge Mollway's office and ask for a status conference to explain to her the situation and ask for a continuance. In order to do this we will have to notify and invite opposing counsel, as you know.

I sincerely hope that the status is as set forth in the first paragraph, so that we can go on in a productive way, and provide assistance to you in any way we reasonably can.

Regards, Wes

2/29/2008